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Congress of the United States
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June 14, 2017

Honorable Scott Pruitt
Administrator
United States Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20004

Dear Administrator Pruitt,

As you may know, Section 114 of the Clean Air Act (CAA) provides the EPA the authority to collect information from the owner of an emission source in order to develop regulations or implementation plans or to determine whether the operator is in violation of the CAA.

It has been brought to my attention that the EPA has exercised this authority broadly and required owners to collect and report on information spanning back decades about their operations. Collecting this information and properly responding to the EPA's inquiries requires that these facilities invest a great deal of employee hours and outside resources.

It is my understanding that the EPA has used the information gathered in this process to search for possible enforcement actions, as opposed to starting with a potential violation and only requesting information related to a specific potential violation. It is further my understanding that the EPA has threatened enforcement and sought settlement action against operations, thereby pushing the operation to accept new emission standards and guidelines without going through the standard regulatory process providing for public comment and other analyses.

I find any efforts to effectively conduct rulemaking through a backdoor process very concerning. I am also concerned by the wide net cast by the EPA in gathering information without a specific violation.

Accordingly, I request that you will give all due consideration to the recommendations and potential solutions provided in section II(F) of comments submitted by the Portland Cement Association in response to President Trump's request for feedback on existing regulations (**Portland Cement Association's ("PCA") Response to EPA's Request for Comments re *Evaluation of Existing Regulations*, 82 Fed. Reg. 17,793 (April 13, 2017), Dkt No. EPA-HQ-OA-2017-0190**). As you and the rest of the administration consider ways in which to relieve unnecessary regulatory burdens, I believe that these comments provide valuable insight into challenges being placed on American industry, and appreciate your review of that feedback.

Thank you for your attention to this request and for your leadership.

Sincerely,



Charles W. Dent
Member of Congress

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